

**SIXTEENTH LEGISLATIVE DAY  
TUESDAY, JANUARY 23, 2007**

Governor  
/s/ BEN YSURSA  
Secretary of State

House of Representatives

The House convened at 11:30 a.m., Mr. Moyle in the Chair.

Roll call showed 68 members present.  
Absent and excused -- Clark, Mr. Speaker. Total -- 2.  
Total -- 70.

Prayer was offered by Representative Bolz.

The Pledge of Allegiance was led by Sarah Potucek, Page.

**Approval of Journal**

January 23, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifteenth Legislative Day and recommend that same be adopted as corrected.

SMITH(24), Vice Chairman

Mr. Smith(24) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Margaret Henbest, State Representative, District 16, House Seat A, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Joan Wallace, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C. L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Joan Wallace, Acting State Representative, District 16, House Seat A, Ada County, State of Idaho, for a term commencing on January 23, 2007, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 19th day of January in the year of our Lord two thousand and seven, and of the Independence of the United States of America, the two hundred and thirty-first year.

/s/ C. L. "BUTCH" OTTER

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Wallace.

**Report of Standing Committees**

January 23, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 34, H 35, H 36, H 37, H 38, H 39, H 40, and H 41.**

SMITH(24), Vice Chairman

**H 34** was referred to the Health and Welfare Committee.

**H 35, H 36, H 37, and H 38** were referred to the Transportation and Defense Committee.

**H 40 and H 41** were referred to the Revenue and Taxation Committee.

**H 39** was filed for second reading.

January 23, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 7.**

SMITH(24), Vice Chairman

The Acting Speaker announced that enrolled **HCR 7** would be signed by the Speaker, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

January 23, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 6** to the Secretary of State at 11:50 a.m., as of this date, January 22, 2007.

SMITH(24), Vice Chairman

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 42  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO THE RURAL ECONOMIC DEVELOPMENT AND FREIGHT TRANSPORTATION PROGRAM; AMENDING SECTION 49-2902, IDAHO CODE,

TO REVISE MEMBERSHIP COMPOSITION PROVISIONS  
RELATING TO THE INTERAGENCY WORKING GROUP.

**HOUSE BILL NO. 43**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO AGRICULTURE; AMENDING SECTION 22-507, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 44**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO NURSERIES AND FLORISTS; AMENDING SECTION 22-2323, IDAHO CODE, TO PROVIDE FOR A SPECIAL NURSERY RESEARCH AND EDUCATION ACCOUNT AND TO PROVIDE FOR DISTRIBUTION OF FUNDS FROM THE ACCOUNT.

**H 42**, **H 43**, and **H 44** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 29**, by Appropriations Committee, was read the second time by title and filed for third reading.

**H 22**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 12** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mrs. Barrett to open debate.

The question being, "Shall **H 12** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest(Wallace), Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 66.

NAYS -- None.

Absent and excused -- Bolz, Clark, Smith(24), Mr. Speaker.

Total -- 4.

Total -- 70.

Whereupon the Acting Speaker declared **H 12** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 13** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Hart to open debate.

The question being, "Shall **H 13** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest(Wallace), Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 68.

NAYS -- None.

Absent and excused -- Clark, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 13** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 15** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 15** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest(Wallace), Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 68.

NAYS -- None.

Absent and excused -- Clark, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 15** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 16** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 16** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest(Wallace), Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 68.

NAYS -- None.

Absent and excused -- Clark, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 16** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 17** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 17** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest(Wallace), Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 68.

NAYS -- None.

Absent and excused -- Clark, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Acting Speaker declared **H 17** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Bedke moved that the House adjourn until 11:30 a.m., Wednesday, January 24, 2007. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:01 p.m.

MIKE MOYLE, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk